



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,685	06/23/2003	Tatsuo Shimofurutani	KASA:026	7994
7590	07/24/2006			EXAMINER
ROSSI & ASSOCIATES P.O. BOX 826 ASHBURN, VA 20146-0826			PETERSON, KENNETH E	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/601,685	SHIMOFURUTANI, TATSUO
	<b>Examiner</b>	<b>Art Unit</b>
	Kenneth E. Peterson	3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1.  The amendment filed on 17 June 2006 under 37 CFR 1.312 has been considered, and has been:

- a)  entered.
- b)  entered as directed to matters of form not affecting the scope of the invention.
- c)  disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d)  disapproved. See explanation below.
- e)  entered in part. See explanation below.

New claim 21 (corresponding to cancelled claim 10) has been entered. Claim 10 should not have been cancelled by the Examiner, who regrets any delay caused by this.

New claims 15-17 and 22 will not be entered. In his arguments, Applicant cites MPEP 821.04(a). However, this paragraph requires that the new claim "has all the limitations of the allowable claim". This is not the case. New claim 15 is "for obtaining a band saw" but does not actually claim the band saw itself, and thus does not have "all the limitations of the allowable claim".

New claims 18 and 23 will not be entered. In his arguments, Applicant cites MPEP 821.04(b). However, this paragraph requires that the new process claim "has all the limitations of the allowable product claim". This is not the case. New claim 18 only mentions the product in the preamble. Only limitations recited or referred to in the body of the claim (after "comprising") are given weight. Since not all of the limitations of the allowed product can be given full weight, claim 18 does not have "all the limitations of the allowable product claim". Furthermore, there are limitations missing from the allowed product claim, most notably "continuous" on line 4 should be --extending continuous--, and "tension zone" on line 8 should be --tooth side base tension zone--.

New claims 19,20 and 24 will not be entered. In his arguments, Applicant cites MPEP 821.04(b). However, this paragraph requires that the new claim "has all the limitations of the allowable product claim". This is not the case. New claim 19 is "for a band saw" but does not actually claim the band saw itself, and thus does not have "all the limitations of the allowable claim". Furthermore, new claim 19 only fully mentions the product in the preamble. Only limitations recited or referred to in the body of the claim (after "comprising") are given weight. Since not all of the limitations of the allowed product can be given full weight, claim 19 does not have "all the limitations of the allowable product claim".

BOYER D. ASHLEY  
SUPERVISORY PATENT EXAMINER

KENNETH E. PETERSON  
PRIMARY EXAMINER